

REMARKS

This Amendment and Response is responsive to the Final Office Action mailed June 30, 2004. In that Action, claims 1, 3, 9, 10, and 12-16 were rejected under 35 USC §103(a) as being unpatentable over the combination of Walker, et al. (USPN 6,014,439) and Judkins, et al. (USPN 6,603,854).

Claim 9 has been amended and new claims 18 and 19 have been added. Claim 9 has been amended to even further distinguish over the art of record. Claim 9 has been rejected based on the combination of Walker and Judkins. Neither of these references, however, teach or suggest the combination of the recited elements with the limitation that “the priority number is further determined based on at least one of: indication made in the at least one telephone call, and from monitoring the one or more interactive applications accessed.” For at least this reason, it is respectfully submitted that claim 9 (and dependent claims 10 and 12-16) is patentable.

Claim 1 has also been rejected based on the combination of Walker and Judkins. Judkins’ disclosure includes basing priority based on three different parameters including the length of time in queue. The Examiner states that “[t]he length of time in queue indicates the order in which incoming call is received.” The Applicants disagree. Instead, a comparison of the relative lengths of time in queue of multiple telephone calls may indicate the order in which the telephone calls were received. But Judkins does not disclose, discuss, or suggest such a comparison of relative lengths of time in queue. Instead, Judkins uses the length of time in queue to escalate the priority after the call has been in queue more than a threshold, rather than by comparing to other calls. Thus, it can be seen that the invention of claim 1 (and dependent claim 3) is not obvious in light of the combination of Walker and Judkins.

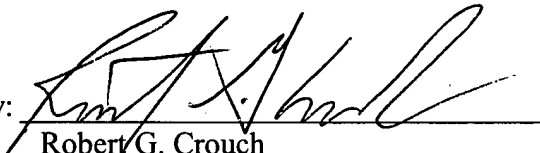
Claims 18 and 19 are believed to be patentable because neither shows or suggests the

combination of the recited elements with the limitation that "the priority number is further determined based on at least one of: indication made in the at least one telephone call, and from monitoring the one or more interactive applications accessed."

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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